NEWMAN, COMLEY & RUTH

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March 18, 2004

TELEPHONE: (573) 634-2266 FACSIMILE: (573) 636-3306

The Honorable Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102-0360 FILED²
MAR 1 9 2004

Missouri Public Service Commission

Re:

ROBERT K. ANGSTEAD

ROBERT J. BRUNDAGE

CATHLEEN A. MARTIN

STEPHEN G. NEWMAN

MARK W. COMLEY

JOHN A. RUTH

Tele Circuit Network Corporation

Dear Judge Roberts:

Please find enclosed for filing in the referenced matter the original and five copies of an Application of Tele Circuit Network Corporation for a Certificate of Service Authority and for Competitive Classification.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

Mark W. Comley

comleym@ncrpc.com

MWC:ab Enclosure

cc:

Office of Public Counsel

General Counsel's Office

Keith Harrison

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BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Missouri Public Service Commission

Application of)	
Tele Circuit Network Corporation)	
For a Certificate of Service Authority to Provide Intrastate Interexchange Telecommunications Services In the State of Missouri and for Competitive Classification))))	Case No.

APPLICATION OF TELE CIRCUIT NETWORK CORPORATION FOR A CERTIFICATE OF SERVICE AUTHORITY AND FOR COMPETITIVE CLASSIFICATION

Tele Circuit Network Corporation ("Tele Circuit" or "Applicant"), through undersigned counsel and pursuant to Sections 392.361, 392.410, 392.420, 392.430, and 392.440 RSMo.; 4 CSR 240-2.060 and 4 CSR 240-3.510 hereby requests that the Missouri Public Service Commission ("Commission") issue a Certificate of Service Authority to provide intrastate telecommunications service within the State of Missouri, classify Tele Circuit as a competitive company, and waive certain statutes and rules. In support of this Application, Tele Circuit states as follows:

A. <u>Description of the Applicant</u>

1. Tele Circuit Network Corporation, is a Georgia corporation located at 620 Crossbridge Alley, Alpharetta, GA. Copies of Tele Circuit's Certificate of Incorporation and Certificate of Amendment of Certificate of Incorporation are attached as Exhibit A. A copy of Tele Circuit's certificate of qualification to transact business in Missouri is attached as Exhibit B. Tele Circuit is generally in the business of providing telecommunications services.

2. For the purposes of this Application, contacts for the Applicant are as follows:

Mark W. Comley Newman, Comley & Ruth PC Monroe Bluff Executive Center 601 Monroe Street, Suite 301 P.O. Box 537 Jefferson City, Missouri 65102-0537

Tel: (573) 634-2266 Fax: (573) 634-3306

Email: comleym@ncrpc.com

and

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Keith Harrison Tele Circuit Network Corporation 620 Crossbridge Alley Alpharetta, GA, 30022 Tel: (678) 478-2452

Fax: (770) 698-9047

Email: keith@telecircuit.com

For purposes of other Commission inquiries, complaints, and correspondence, the Applicant's contact for the Commission will be:

Pobish Tahir Tele Circuit Network Corporation 620 Crossbridge Alley Alpharetta, GA, 30022 Toll: (877) 835-3247

Tel: (770) 698-9111 Fax: (770) 698-9047

Email: cs@telecircuit.com

B. Qualifications

- 3. Tele Circuit is financially qualified to provide telecommunications services in Missouri.
- 4. Tele Circuit also has the managerial and technical resources necessary to operate in Missouri. Biographies of Tele Circuit's management personnel are provided in Exhibit C.

C. Description of Services

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- 5. Tele Circuit seeks authority to provide intrastate interexchange telecommunications services throughout the State of Missouri. Therefore, Tele Circuit seeks statewide authority. Its services are expected to include long distance toll services, dedicated inbound or outbound calling services and calling card communication services.
- 6. Tele Circuit will provide all such services in accord with its tariffs. Tele Circuit's proposed interexchange tariff is being filed simultaneously with this Application and is attached hereto as Exhibit D. The proposed tariff contains the rules and regulations applicable to its customers, a description of the services offered, and a list of the rates associated with such services. The tariff has a forty-five (45) day effective date, as required by 4 CSR 240-3.510 (1)(c).
- 7. Tele Circuit will continuously monitor and maintain a high level of control over its network on a 24-hours-a-day, 7 days-a-week basis.
- 8. Tele Circuit will not unjustly discriminate among its subscribers, as prohibited by Section 392.200 RSMo.
- 9. Tele Circuit does not have any pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or customer rates, which action, judgment or decision has occurred within three (3) years of the date of this Application.
- 10. Since Tele Circuit is requesting certification as a new carrier, no annual reports or fees are overdue to the Commission.

D. Classification as a Competitive Company

- 11. Tele Circuit seeks classification as a competitive company, pursuant to Sections 392.361.2 and 392.361.3 RSMo., and the accompanying reduced regulation, pursuant to Section 392.420 RSMo.
- 12. Applicant respectfully requests that the Commission suspend, waive, or modify the application of the following rules and statutory provisions consistent with the Commission's treatment of other competitive carriers:

Statutes

§ 392.210.2	-	Uniform system of accounts
§ 392.240(1)	-	Rates - Average return on investment.
§ 392.270	-	Property valuation.
§ 392.280	-	Depreciation accounts.
§ 392.290	-	Issuance of stocks and bonds.
§ 392.300.2	-	Acquisition of stock
§ 392.310	-	Issuance of stock.
§ 392.320	-	Stock dividends.
§ 392.330	-	Issuance of securities, debts and notes.
§ 392.340	-	Reorganizations

Regulations

4 CSR 240-3.545(2)(C)	-	Rate schedules should be posted at central
		office
4 CSR 240-10.020	-	Depreciation of fund income.
4 CSR 240-30.040	-	Uniform System of Accounts
4 CSR 240-33.030	_	Minimum charges

13. The above-referenced statutory provisions or regulations have been waived with regard to other competitive carriers. These statutory provisions or regulations are principally designed to apply to noncompetitive telecommunications carriers. It would be inconsistent with the goal and purpose of Section 392.530 RSMo. to apply them to a competitive telecommunications carrier such as Applicant.

- 14. Tele Circuit will comply with all orders and regulations of the Commission applicable to providers of competitive interexchange telecommunication services except those that are specifically waived by the Commission.
- 15. To the extent that the Commission may modify its current waiver policies, Tele Circuit reserves the right to amend its waiver requests accordingly.

E. Public Interest Considerations

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- 16. Applicant believes that granting the requested certificate is in the public interest for the following reasons:
- (a) Applicant's proposed intrastate telecommunications services are developed to serve the long distance needs of subscribers who can not otherwise realize similar cost savings through major carriers.
- (b) An increase in the traffic generated through provision of Applicant's proposed intrastate services over existing major carriers' communications facilities will improve the efficiency and reduce major carriers' costs in provision of these services.
- (c) The public will benefit from greater consumer choice created through the broadening of innovative telecommunications service alternatives and ongoing affordable rates maintained by the additional competitive pressure placed on other competitors.
- (d) Local Exchange Carriers will realize greater access charge revenues through the increase in traffic utilizing local access.

G. <u>CONCLUSION</u>

For the reasons stated above, Applicant respectfully submits that the public interest, convenience, and necessity would be furthered by a grant of this Application for a Certificate of

Service Authority to provide intrastate interexchange and non-switched local telecommunications services, classify Tele Circuit and its proposed services as competitive, and grant a waiver of the statutes and regulations referenced above.

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Respectfully submitted,

Mark W. Comley

#28847

Newman, Comley & Ruth PC

Monroe Bluff Executive Center (

601 Monroe Street, Suite 301

P.O. Box 537

Jefferson City, Missouri 65102-0537

Tel: (573) 634-2266 Fax: (573) 634-3306

Email: comleym@ncrpc.com

COUNSEL FOR APPLICANT

LIST OF EXHIBITS

Exhibit A Certificate of Incorporation and

Certificate of Incorporation and Certificate of Amendment of Certificate of

Incorporation

Exhibit B Authority to Transact Business

Exhibit C Management Biographies

Exhibit D Proposed Tariffs

Certificate of Service

EXHIBIT A

Certificate of Incorporation

And

Certificate of Amendment of Certificate of Incorporation

Secretary of State

Corporations Division 315 West Tower #2 Martin Luther King, Jr. Dr. Atlanta, Georgia 30334-1530 CONTROL NUMBER : 0255003
DATE INC/AUTH/FILED: 10/30/2002
JURISDICTION : GEORGIA
PRINT DATE : 03/01/2004
FORM NUMBER : 211

TELE CIRCUIT NETWORK CORP ASHAR SED 620 CROSSBRIDGE ALLEY ALPHARETTA, GA 30022

CERTIFICATE OF EXISTENCE

I, Cathy Cox, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that as of the above print date

TELE CIRCUIT NETWORK CORPORATION A GEORGIA PROFIT CORPORATION

is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated.

Said entity was formed in the jurisdiction stated above or was authorized to transact business in Georgia on the above date and has not filed articles of dissolution, certificate of cancellation or any other similar document with the Office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the print date above. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up or any other similar document has been filed or is pending with the Secretary of State.

This information is electronically transmitted, issued and certified in accordance with the Georgia Electronic Records and Signatures Act and Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.

20040301180122994



Secretary of State
Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

DOCKET NUMBER : 040551051
CONTROL NUMBER : 0255003
DATE INC/AUTH/FILED: 10/30/2002
JURISDICTION : GEORGIA
PRINT DATE : 02/24/2004

FORM NUMBER : 215

TELE CIRCUIT NETWORK CORPORATION 620 CROSSBRIDGE ALLEY ALPHARETTA, GA 30022

CERTIFIED COPY

I, Cathy Cox, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that the attached documents are true and correct copies of documents filed under the name of

TELE CIRCUIT NETWORK CORPORATION A DOMESTIC PROFIT CORPORATION

Said entity was formed in the jurisdiction set forth above and has filed in the Office of Secretary of State on the date set forth above its certificate of limited partnership, articles of incorporation, articles of association, articles of organization or application for certificate of authority to transact business in Georgia.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence of the existence or nonexistence of the facts stated herein.



Secretary of State

Corporations Division 315 West Tower #2 Martin Luther King, Jr. Dr. Atlanta, Georgia 30334-1530

DOCKET NUMBER: 031920100 CONTROL NUMBER: 0255003 EFFECTIVE DATE: 06/30/2003 REFERENCE : 0045

PRINT DATE : 07/30/2003

FORM NUMBER : 111

TELE CIRCUIT NETWORK CORP. 620 CROSSBRIDGE ALLEY ALPHARETTA, GA 30022

CERTIFICATE OF AMENDMENT

I, Cathy Cox, the Secretary of State and the Corporations Commissioner of the State of Georgia, do hereby certify underthe seal of my office that

TELE CIRCUIT NETWORK CORPORATION A DOMESTIC PROFIT CORPORATION

has filed articles of amendment in the Office of the Secretary of State and has paid the required fees as provided by Title 14 of the Official Code of Georgia Annotated. Attached hereto is a true and correct copy of said articles of amendment.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on the date set forth above.





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Tele Circuit Network Corp. 620 Crossbridge Alley, Alpharetta, GA, 30022 Ph: 1-877-TELECIR

14-2-1006. Articles of Amendment

- i. TELE CIRCUIT NETWORK CORPORATION
- 2. Article Two:

The corporation shall have authority, acting by its Board of Directors, to issue twenty thousand shares of common stock, with par value of \$ 1.00 per share.

- 3. None of share issued so not applicable.
- 4. The date of adoption is 1st August 2003.
- Amendment adopted by board of directors, i.e. Ashar Syed and Sobia Ashar, and shareholder action is not required as no share ever been issued.
- 6. No approval from shareholders required

Sobia Ashar- Treasure

Date: July 28th, 2003

Secretary of State

Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CONTROL NUMBER: 0255003
EFFECTIVE DATE: 10/30/2002
COUNTY: GEORGIA
REFERENCE: 0057
PRINT DATE: 11/04/2002

FORM NUMBER : 311

AKHTAR SADIQ 3330 CUMBERLAND BLVD. SUITE 500 ATLANTA, GA 30339

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CERTIFICATE OF INCORPORATION

I, Cathy Cox, the Secretary of State and the Corporations Commissioner of the State of Georgia, do hereby certify under the seal of my office that

TELE CIRCUIT NETWORK CORPORATION A DOMESTIC PROFIT CORPORATION

has been duly incorporated under the laws of the State of Georgia on the effective date stated above by the filing of articles of incorporation in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on the date set forth above.

Articles of Incorporation

Of

TELE CIRCUIT NETWORK CORPORATION

Article One

The name of the corporation is

TELE CIRCUIT NETWORK CORPORATION

Article Two

The corporation shall have authority, acting by its Board of Directors, to issue

Seven Million shares of common stock, with par value of \$ 1.00 per share

Article Three

The Corporation is a Corporation for profit, pursuant to the Georgia Business Corporation code, as amended, and is organized for the following purposes:

To entry on a general business in Telecommunication, local, long distance, cellular service, software & hardware and networking solutions. Including other services and retail outlets. Independently; to open retail shops and outlets for the retail sales and distribution of such products and services; to enter into contracts for the import and export of these items and services from and to other countries. Carry out business in state of Georgia and/or other states. To carry on any lawful business not specifically prohibited to corporations under the applicable laws of the state of Georgia or any other state.

Article Four

The corporation shall not commence business until it has received consideration of fixed value, which shall not be less than \$ 500.00, in payment for the issuance of common stock.

Article Five /

The holders of shares of common stock of the Corporation shall be entitled as a matter of right to acquire any new or additional shares of capital stock.

Article Six

The initial registered office of the corporation shall be:

620 Crossbridge Alley, Alpharetta, GA. 30022 and the initial

registered agent of the corporation at the said address shall be:

Mr. Ashar M. Syed said registered agent's address is

620 Crossbridge Alley, Alpharetta, GA, 30022

Artile Seven

The initial Board of Directors of the Corporation shall consist of following members whose name and address is as follows

- Mr. Ashar M. Syed Chairman & CEO 620 Crossbridge Alley, Alpharetta, GA. 30022
- Ms. Sobia Ashar Treasurer and Secretary 620 Crossbridge Alley, Alpharetta, GA. 30022

Article Eight

The name and address of the incorporator is:

Akhtar Sadiq, Accountant 3330 Cumberland Blvd, Suite 500, Atlanta, GA. 30339 In accordance with the applicable provision of the Georgia Business Corporation Code, the corporation shall have the power, acting through its Board of Directors, to make distributions of its assets to its shareholders out of its capital surplus and to acquire its own shares out of its unreserved and unrestricted capital surplus available therefore.

IN WITNESS WHEREOF, I have executed these Articles of Incorporation,

this 30 th day of October, 2002.

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Respectfully submitted:

Akhtar Sadiq Accountant

Incorporator

CORPORATIONS DIVISION

767 OCT 30 P 2:00

SECRETARY OF STATE

$\underline{\mathbf{EXHIBIT}\;\mathbf{B}}$

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Authority to Transact Business

STATE OF MISSOUR



Matt Blunt Secretary of State

CERTIFICATE OF AUTHORITY

WHEREAS,

TELE CIRCUIT NETWORK CORPORATION F00573465

using in Missouri the name

TELE CIRCUIT NETWORK CORPORATION

has complied with the General and Business Corporation Law which governs Foreign Corporations; by filing in the office of the Secretary of State of Missouri authenticated evidence of its incorporation and good standing under the Laws of the State of Georgia.

NOW, THEREFORE, I, MATT BLUNT, Secretary of State of the State of Missouri, do hereby certify that said corporation is from this date duly authorized to transact business in this State, and is entitled to all rights and privileges granted to Foreign Corporations under the General and Business Corporation Law of Missouri.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 5th day of March, 2004.

Matt Blunt
Secretary of State

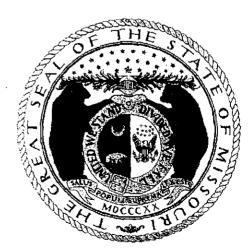


EXHIBIT C

Management Biographies

Ashar Syed

He is the chairman and chief executive officer has college computer science training; He has two masters of computer science degrees, one in Pakistan, the other in the United States, and a masters in telecommunications law and regulations. Syed has some eight years of telecommunications technical experience, and five years of telecommunications technical management experience. He has been employed for approximately two years at a telecommunications company, New Century Communications.

Sobya Ashar

She is the Treasurer and Secretary has three years of financial customer service and computer software experience. She has additional areas of telecommunications or general business experience, including interviewing prospective employees and training new hires; and creating and managing database, customer service, and billing software and hardware systems. She also has finance and accounting experience.

EXHIBIT D

Proposed Tariffs

VERIFICATION

STATE OF GEORGIA)	
) ss.	
COUNTY OF FULTON)		

I, Ashar Syed, being first duly sworn upon oath, do hereby depose and state that I am Chairman and CEO of Tele Circuit Network Corporation, a Georgia corporation, and am authorized to execute this verification; that I have read the above and foregoing application and know the contents thereof; that the contents are true in substance and in fact, except as those matters which are stated upon information and belief, and as to those, I believe the same to be true.

Ashar Sved, Chairman and CEO

Subscribed and sworn to before me, a Notary Public, on this 18th day of March, 2004.

Notary Public

Notary Public, Fulton County, Georgia My Commission Expires June 19, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true:	and correct copy of the above and foregoing
document was sent via e-mail on this1	gth day of March, 2004, to General
Counsel's Office at gencounsel@psc.state	e.mo.us; Office of Public Counsel at
opcservice@ded.state.mo.us.	
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